

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

PATRICK RYAN,
Plaintiff

vs.

INDEPENDENCE ASSOCIATES, INC.,
and CONSTANCE GALLANT,
Defendants

C.A. NO. 04-11470 (MLW)

JOINT STATEMENT

Pursuant to the Notice of Scheduling Conference issued by the Court on November 5, 2004, the parties' respective counsel conferred via telephone on November 18, 2004 for the purpose of (1) preparing an agenda of matters to be discussed at the December 9, 2004 scheduling conference in this case, (2) preparing a proposed pre-trial schedule for the case that includes a plan for discovery, and (3) considering whether they will consent to trial by magistrate judge.

I. **Agenda of Matters to be Discussed at Scheduling Conference**

- A. Discovery schedule
- B. Pretrial schedule, including a schedule for the filing of dispositive motions
- C. Possibility of phased discovery

II. **Discovery and Motion Schedule**

The parties jointly propose that the following pretrial discovery and motion schedule be adopted:

Service of written discovery

January 14, 2005

Deadline for disclosure of
expert witnesses and service
of expert reports

May 30, 2005

Deadline for disclosure of rebuttal expert witnesses and service of rebuttal expert reports	June 30, 2005
Deadline for completion of all discovery other than expert depositions	July 29, 2005
Deadline for filing of dispositive motions	September 30, 2005
Deadline for filing oppositions to dispositive motions	October 31, 2005
Deadline for filing responses to oppositions to dispositive motions	November 14, 2005
Deadline for completion of expert depositions	60 days after resolution of all pending dispositive motions
Final pretrial conference	Approximately 30 days following completion of expert depositions
Trial date	To be scheduled at final pretrial conference

The parties do not propose any alterations to the numerical limits on discovery imposed by the Federal and Local Rules.

III. **Trial Before Magistrate Judge**

Neither the plaintiff nor the defendants would consent at this time to trial before a magistrate judge.

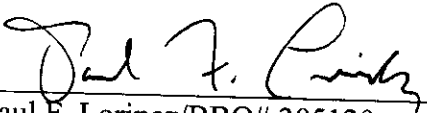
IV. **Certifications of Parties**

The parties will file separately the certifications required by Local Rule 16.1(D)(3).

Respectfully submitted,

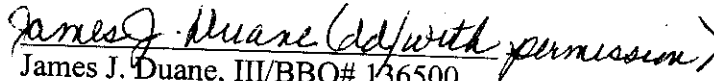
PATRICK RYAN

By his attorneys,


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INDEPENDENCE ASSOCIATES, INC.,
et al

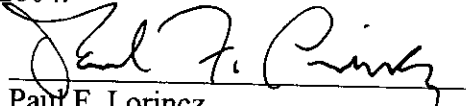
By their attorneys,

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Dated: November 23, 2004

CERTIFICATE OF SERVICE

I certify that a true copy of the foregoing document was served upon the attorney of record for each party by mail on November 23, 2004.


Paul F. Lorincz